

REMARKS

OVERVIEW

Claims 1-11 are pending in this application. Claim 10 is a new dependant claim. Claim 11 is a new independent claim. Claims 1 and 5 are amended.

ISSUES UNDER 35 U.S.C. § 102

Claims 1-6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,944,081 to Aldcroft et al. Claim 1 has been amended to include the limitation of "an open portion of the clip facing a direction opposite a toe end of the golf club head." As shown in Figures 1 and 2, the toe end of the golf club head is fitted into the protective cover and the shaft or hosel is pressed into the clip.

This limitation is not disclosed in Aldcroft. In Aldcroft, as best shown in Figures 12 and 14, the open portion of the clip of Aldcroft faces the forward end 14 of the golf club head cover. Due, in part, to this structural difference, the golf club head cover of the present invention is operated in a significantly different manner than the Aldcroft device. As Aldcroft does not disclose this limitation, this rejection should be withdrawn.

As claims 2-4 depend from claim 1, these rejections should also be withdrawn.

Claim 5 has been amended to require "a partially open collar adjacent to and integral with the protective pocket extending upwardly and outwardly in a direction opposite a toe end of the head of the golf club." Aldcroft does not disclose this limitation. As shown in Figures 9 and 11 of Aldcroft, the partially open collar has portions 86 as indicated in numbered paragraph 2 of the Office Action. The open collar 86 extends upwardly and towards the toe end of the head of the golf club, not "outwardly in a direction opposite a toe end of the head of the golf club" as now required by claim 5. Therefore, Aldcroft does not disclose each and every limitation of claim 5 and therefore this rejection should be withdrawn. As claims 6-9 depend from claim 5, these rejections should also be withdrawn.

Claims 1-6, 8, and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,547,193 to Sander. Sander is directed towards a golf club cover, not merely a golf club head cover. The golf club cover of Sander has a body for receiving a head portion of a golf club and a separate member for protecting the shaft of the golf club (Abstract). The Office Action indicates that Sander discloses a clip portion 22 as shown in Figure 1 (Office Action, numbered paragraph 3). The clip 22 is associated with the second cover member 14 (for the shaft) and not the first cover member 12 for the golf club head. Claim 1 requires "a protective cover having an upper portion for fully protecting a golf club head and a lower portion" and "a clip disposed about the lower portion of the protective cover and adapted for securing the protective cover to a golf club." The "clip" of Sander is only for securing the lower portion to the shaft and does not secure the separate upper portion to the golf club. Therefore, Sander does not disclose the "golf club head cover" of claim 1. As claims 2-4 depend from claim 1, these rejections should also be withdrawn.

Claim 5 is also directed towards "a golf head cover" as opposed to a "golf club cover". Claim 5 now requires "a partially open collar adjacent to and integral with the protective pocket." This limitation is not disclosed in the two-piece golf club cover of Sander. Therefore, this rejection should be withdrawn. As claims 6-9 depend from claim 5, these rejections should also be withdrawn.

Claims 1-6 and 8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 4,213,614 to Philippi. Philippi is directed towards a combination weight attachment and golf club head cover (Abstract). Claim 1 has been amended to include "a protective cover having an upper portion for fully protecting a golf club head." Philippi does not provide this type of protection, as the golf club head of Philippi would be partially exposed. The present invention provides the advantage of fully protecting the golf club head. Therefore, this rejection to claim 1 should be withdrawn. As claims 2-4 depend from claim 1, these rejections should also be withdrawn.

Claim 5 also requires "a protective pocket . . . for fully protecting the head of the golf club." As explained with respect to claim 1, Philippi does not fully protect the head of a golf club. Therefore, Philippi does not disclose this limitation of claim 5 and this rejection should be withdrawn. As claims 6-9 also depend from claim 5, these rejections should also be withdrawn.

ISSUES UNDER 35 U.S.C. § 103

Claim 7 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over either Aldcroft or Sander in view of U. S. Patent No. 4,378,832 to Thompson. As claim 7 depends from claim 5, and neither Aldcroft, nor Sander nor Thompson disclose each and every limitation of claim 5, this rejection should be withdrawn.

Claims 1-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,547,193 to Gaffney in view of Sander. As the Examiner recognizes, Gaffney does not include a clip (Office Action, numbered paragraph 6). Although Sander does disclose a clip of sorts, there is no motivation or suggestion to combine these references expressed in the references themselves. Furthermore, claim 1 now requires "an open portion of the clip facing a direction opposite a toe end of the golf club head." Sander does not recognize or appreciate that specific orientation of the clip. For example, in Figure 8, the clip appears to be oriented such that the open portion of the clip is facing towards the toe end as opposed to away from it. Therefore, this rejection to claim 1 should be withdrawn. As claims 2-4 depend from claim 1, these rejections should also be withdrawn.

Claim 5 now requires "a partially open collar adjacent and integral with the protective cover extending upwardly and outwardly in a direction opposite the toe end of the head of the golf club." Neither reference discloses this limitation, therefore, this rejection to claim 5 should be withdrawn. As claims 6-9 depend from claim 5, these rejections should also be withdrawn.

NEW CLAIMS

New claim 10 depends from claim 5 and includes the same limitation that was also added to claim 1 which is well supported in the application as originally filed, including Figures 1 and 2.

New claim 11 is similar to pervious claim 1, but describes how the spaced apart sidewalls of the cover are secured to the shaft with a clip (see Figure 8).

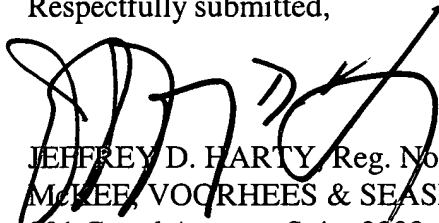
CONCLUSION

The Applicant therefore submits that all claims are in proper form for immediate allowance and all rejections should properly be withdrawn. The Examiner is invited and encouraged to contact the undersigned attorney should the Examiner not find all claims allowable and arguments persuasive.

Enclosed is our check for \$55.00 for the one-month extension of time. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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